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VALEANT PHARMACEUTICALS INTERNATIONAL,
VALEANT PHARMACEUTICALS INTERNATIONAL, INC., and
GALDERMA LABORATORIES, L.P.

SEE ADDITIONAL COUNSEL ON PAGE 2

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ALLERGAN USA, INC., and
ALLERGAN INDUSTRIE, SAS,

Plaintiffs,

v.

MEDICIS AESTHETICS, INC.,
MEDICIS PHARMACEUTICAL CORP.,
VALEANT PHARMACEUTICALS
NORTH AMERICA LLC,
VALEANT PHARMACEUTICALS
INTERNATIONAL,
VALEANT PHARMACEUTICALS
INTERNATIONAL, INC., and
GALDERMA LABORATORIES, L.P.

Defendants.

Case No. 8:13-cv-01436 AG (JPRx)

**STIPULATION TO AMEND THE
SCHEDULING ORDER
SPECIFYING PROCEDURES**

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VALEANT PHARMACEUTICALS INTERNATIONAL, INC., and
GALDERMA LABORATORIES, L.P.

1 WHEREAS, on February 3, 2014, the Court entered the current Scheduling
2 Order in the above-captioned case (Doc. 34);

3 WHEREAS, on August 4, 2014, the Court issued its Order (Doc. 78) granting
4 the parties' Stipulation to Amend the Scheduling Order Specifying Procedures
5 setting certain deadlines including for the disclosure of expert reports and the close
6 of discovery;

7 WHEREAS, on January 14, 2015, the Court issued its Order (Doc. 107)
8 granting the parties' Stipulation to Amend the Scheduling Order Specifying
9 Procedures modifying certain deadlines including for the disclosure of expert reports
10 and the close of discovery;

11 WHEREAS, on February 20, 2015, the Court issued its Order (Doc. 119)
12 granting the parties' Stipulation to Amend the Scheduling Order Specifying
13 Procedures modifying certain deadlines including for the disclosure of expert reports
14 and the close of discovery;

15 WHEREAS, on March 24, 2015, the Court issued its Order (Doc. 122)
16 granting the parties' Stipulation to Amend the Scheduling Order Specifying
17 Procedures modifying certain deadlines for the disclosure of expert reports;

18 WHEREAS, on March 25, 2015, Plaintiffs Allergan USA, Inc. and Allergan
19 Industrie, SAS filed their Motion for Partial Summary Judgment of No Invalidity
20 from Prior Use (Doc. 123);

21 WHEREAS, on April 17, 2015, the Court issued its Order (Doc. 128)
22 granting the parties' Joint Stipulation Modifying Hearing Date for Plaintiffs' Motion
23 for Partial Summary Judgment of No Invalidity for Prior Use moving the hearing
24 date for said motion to June 1, 2015;

25 WHEREAS, on May 4, 2015, Plaintiffs Allergan USA, Inc. and Allergan
26 Industrie, SAS filed their Motion to Strike Defendants' Untimely Contentions and
27 Evidence Regarding Alleged Prior Use (Doc. 136);

1 WHEREAS, on May 8, 2015, the Court issued its Order (Doc. 138) granting
 2 the parties' Stipulation to Amend the Scheduling Order Specifying Procedures and
 3 Modifying Hearing Date;

4 WHEREAS, both the Scheduling Order and Standing Patent Rules allow the
 5 parties to modify their respective deadlines with the Court's approval;

6 WHEREAS, the parties have exchanged drafts of a settlement agreement, are
 7 now finalizing certain terms and wish to devote their resources to finalizing the
 8 agreement without the distraction and expense of discovery and motion practice;

9 WHEREAS, to accommodate the efficient resolution of the final settlement
 10 agreement, the parties have agreed to amend the dates for the close of discovery and
 11 alteration of the briefing schedule for Plaintiffs' pending motions as set forth below;

12 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by
 13 and between the parties hereto, through their respective counsel and subject to the
 14 approval of the Court, that the schedule be hereby amended as follows:

Event	Current Date	Proposed Date
Defendants' Opposition to Plaintiffs' Motion to Strike Defendants' Untimely Contentions and Evidence Regarding Alleged Prior Use	May 25, 2015	June 1, 2015
Plaintiffs' Reply in Support of Motion to Strike	June 1, 2015	June 8, 2015
Close of Fact and Expert Discovery	May 29, 2015	June 19, 2015

22
 23
 24 Dated: May 22, 2015

25 By: /s/ Elizabeth M. Flanagan
 26 Elizabeth M. Flanagan

27 Attorney for Plaintiffs

1 Dated: May 22, 2015

2 By: /s/ William F. Schmedlin
3 William F. Schmedlin

4 Attorney for Defendants
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1 **SIGNATURE ATTESTATION**

2 Pursuant to Civil Local Rule 5-4.3.4(a)(2), I attest that counsel for Defendants
3 have authorized the filing of this document.

4
5 /s/ Elizabeth M. Flanagan
6 Elizabeth M. Flanagan
7

8 **CERTIFICATE OF SERVICE**

9 The undersigned hereby certifies that a true and correct copy of the above and
10 foregoing document has been served on May 22, 2015 to all counsel of record who
11 are deemed to have consented to electronic service via the Court's CM/ECF system
12 per Civil Local Rule 5.4. Any other counsel of record will be served by electronic
13 mail, facsimile and/or overnight delivery.
14

15 /s/ Elizabeth M. Flanagan
16 Elizabeth M. Flanagan
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